

HOUSE BILL 293

M4

11r0027

By: **Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)**

Introduced and read first time: February 2, 2011

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2011

CHAPTER _____

1 AN ACT concerning

2 **Weights and Measures – Registration Fees**

3 FOR the purpose of prohibiting certain balances in the Weights and Measures Fund
4 from reverting to the General Fund of the State; requiring the Secretary of
5 Agriculture to adopt regulations establishing certain registration fees for
6 certain weights and measures; repealing certain registration fees for certain
7 weights and measures; requiring the Secretary to adjust the fees under certain
8 circumstances; and generally relating to registration fees for weights and
9 measures.

10 BY repealing and reenacting, with amendments,
11 Article – Agriculture
12 Section 11–204.6 and 11–204.7
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2010 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Agriculture**

18 11–204.6.

19 (a) (1) There is a “Weights and Measures Fund”.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) All fees collected under §§ 11-204.3, 11-204.4, and 11-204.7 of this
2 subtitle shall be credited to the Fund.

3 (3) The Fund shall be used to defray the expenses of administering
4 this title.

5 (b) (1) The Fund shall be used for the purposes stated in this title [and
6 unspent portions of the Fund shall revert to the General Fund of the State].

7 (2) AT THE END OF A FISCAL YEAR, ANY UNSPENT OR
8 UNENCUMBERED BALANCE IN THE FUND MAY NOT REVERT TO THE GENERAL
9 FUND OF THE STATE, BUT SHALL REMAIN IN THE WEIGHTS AND MEASURES
10 FUND.

11 11-204.7.

12 (A) [The fees for registering each weight and measure used for commercial
13 purposes under this subtitle are as follows] **THE SECRETARY SHALL ESTABLISH BY**
14 **REGULATION AN APPROPRIATE FEE TO DEFRAY THE COSTS OF ADMINISTERING**
15 **THIS TITLE FOR EACH OF THE FOLLOWING WEIGHTS AND MEASURES:**

16 (1) Scales with a capacity of up to 100 pounds [(maximum fee per
17 business location: \$225)..... \$20];

18 (2) Scales with a capacity of more than 100 pounds, up to 2,000
19 pounds [..... \$50];

20 (3) Scales with a capacity of more than 2,000 pounds[..... \$75];

21 (4) Belt conveyor scales[..... \$300];

22 (5) Railroad track scales[..... \$300];

23 (6) Vehicle scales[..... \$225];

24 (7) Grain moisture meter[..... \$100];

25 (8) Retail motor fuel dispenser meter of under 20 gallons per minute
26 [(maximum fee per business location: \$275) \$15];

27 (9) Retail motor fuel dispenser meter of 20 gallons per
28 minute or more[..... \$35];

29 (10) Bulk petroleum fuel meter of 20 gallons per minute, up to 150
30 gallons per minute[..... \$50];

1 (11) Bulk petroleum fuel meter of 150 gallons per minute or more [\$85];

2 (12) Liquefied petroleum gas meters[.....\$75]; and

3 (13) Point of sale system, as defined by the National Institute of
4 Standards and Technology (NIST) Handbook 44, connected to a weighing or
5 measuring device [(per business location)..... \$100].

6 (B) IF THE FEE SCHEDULE ESTABLISHED BY THE SECRETARY EXCEEDS
7 THE AMOUNT NECESSARY TO COVER THE COST OF INSPECTING AND TESTING
8 ANY WEIGHT AND MEASURE REQUIRED TO BE REGISTERED UNDER THIS
9 SUBTITLE, THE SECRETARY SHALL REDUCE THE FEE SCHEDULE ACCORDINGLY.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.